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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

v. :

KEVIN WILTSHIRE, :

Defendant. :
-----X

ORDER

14 CR 768-8 (VB)

By letter dated January 5, 2025 (Doc. #668), defendant Kevin Wiltshire seeks a reduction of his term of imprisonment pursuant to Amendment 821 to the United States Sentencing Guidelines, which became effective on November 1, 2023, and applies retroactively.

The motion is DENIED because Wiltshire is not eligible for a reduction of his term of imprisonment under Amendment 821.

In Part A of Amendment 821, the United States Sentencing Commission amended Section 4A1.1 of the Guidelines by eliminating the 2 criminal history "status points" a defendant receives for committing the offense while under a criminal justice sentence, so long as the defendant otherwise has less than 7 criminal history points.

Wiltshire does not qualify under Part A because he did not commit the instant offense while under a criminal justice sentence; i.e., he did not receive any status points.

Accordingly, Wiltshire is not eligible for a reduction of his term of imprisonment pursuant to Amendment 821.

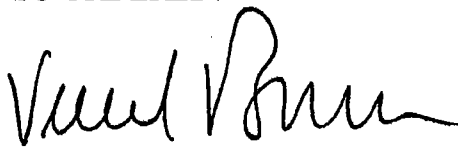
Because Wiltshire's application is plainly without merit, the Court will not appoint an attorney for Wiltshire in this matter.

Chambers will mail a copy of this Order to Wiltshire at the following address:

Kevin Wiltshire, Reg. No. 71994-054
FCI Berlin
Federal Correctional Institution
P.O. Box 9000
Berlin, NH 03570

Dated: January 21, 2025
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge